

NAVAJO COUNTY BOARD OF SUPERVISORS' MINUTES
TUESDAY, July 28, 2009

PRESENT: J.R. DeSpain, Supervisor; Jesse Thompson, Supervisor; and Jerry Brownlow, Chairman were present in the Board Chambers. Jonathan Nez, Supervisor appeared via video conference and Supervisor David Tenney was absent.

9:04 a.m. Call To Order: The Pledge of Allegiance and Invocation were led by Supervisor Thompson.

CALL TO THE PUBLIC: Lewie Lacanski addressed the Board regarding road issues. Rhoda McGuire addressed the Board regarding wind farm development. Ms. McGuire gave the Clerk of the Board 26 pages of signed petitions and thanked Supervisor DeSpain for coming to the Cedar Hills Senior Center Meeting on August 10, 2009 at 6:00 p.m.

CONSENT AGENDA: Sympathy letter to Verna Yazzie; Minutes: July 14, 2009, November 4, 2008 and November 18, 2008; Letter to Holbrook Elks Lodge regarding their performance at the ritual competition; Application for temporary extension of premises/patio permit to the Arizona Department of Liquor Licenses and Control for Dana Saar dba Campfire Hospitality, LLC for an Oktoberfest fund raiser to be held September 19-20, 2009; Intergovernmental Agreement for lease renewal for Navajo County Workforce Investment Act office space in the Arizona Department of Economic Security offices in Show Low and Winslow; Letter to Chris Knopp, Apache-Sitgreaves National Forest, regarding proposed travel management plan
Supervisor Thompson made a motion to authorize the Chairman to sign the items on the consent agenda as presented; motion seconded by Supervisor Nez. Vote unanimous approving the motion.

HUMAN RESOURCES: Consideration and possible approval of Personnel Actions: Gail Calisen reviewed the 13 item Personnel Action Report. Supervisor Thompson inquired about the individual in item number 2 & 5. Ms. Calisen indicated that those two items involve the same individual and the action taken was due to failure to appear to work. **Supervisor DeSpain made a motion to** approve the Personnel Action Report as presented; motion seconded by Supervisor Thompson. Vote unanimous approving the motion.

NAVAJO COUNTY PUBLIC HEALTH SERVICES DISTRICT Board of Directors Session:

Consideration and possible approval of new agreement for laboratory services with Center for Disease Detection (CDD) Women's Health Lab, to provide STD testing and reproductive health screening services to Navajo County Residents effective July 1, 2009 thru June 30, 2011; Supervisor DeSpain made a motion to enter into the Navajo County Public Health Services District **Board of Directors Session;** motion seconded by Supervisor Thompson. Vote unanimous approving the motion. Dr. Wade Kartchner discussed the item. **Supervisor DeSpain made a motion to** approve the new agreement for laboratory services with the Center for Disease Detection Women's Health Lab, to provide STD testing and reproductive health screening services to Navajo County Residents effective July 1, 2009 thru June 30, 2011; motion seconded by Supervisor Nez. Vote unanimous approving the motion. **Supervisor DeSpain made a motion to** return to regular session; motion seconded by Supervisor Thompson. Vote unanimous approving the motion.

BOARD OF SUPERVISORS: Quality Emulsions and Navajo County Recognizing Excellence: Diana Gates was recognized for her outstanding accomplishments. Diana thanked the Board and stated that she was pleased to work for Navajo County. Supervisor DeSpain and Supervisor Thompson congratulated Diana and thanked her for all her hard work.

COUNTY ATTORNEY/LINDEN FIRE DISTRICT: Consideration and possible adoption of Resolution Number ____-09 to support and sponsor the application of the Linden Fire District with the AK-Chin Indian Community to receive Tribal-State Gaming Compact monies to be used to fund a new attack truck for the Linden Fire District along with twelve turnouts; Jason Moore and Carol Lewis discussed the item and answered questions of the Board. **Supervisor DeSpain made a motion to** adopt **Resolution Number 54-09**, to support

and sponsor the application of the Linden Fire District with the AK-Chin Indian Community to receive Tribal-State Gaming Compact monies to be used to fund a new attack truck for the Linden Fire District along with twelve turnouts; motion seconded by Supervisor Thompson. Vote unanimous approving the motion. Supervisor Thompson requested we look into this further for options for other communities.

ELECTIONS: Consideration and possible approval of two (2) polling place changes for the upcoming Special General Election on November 3, 2009: Lisa McKee discussed the item and answered questions of the Board. **Supervisor Nez made a motion to** approve two polling place changes for the upcoming Special General Election on November 3, 2009; motion seconded by Supervisor DeSpain. Vote unanimous approving the motion.

WORKFORCE INVESTMENT ACT: Consideration and possible approval of new contract with the Arizona Department of Economic Security and Navajo County Workforce Investment Act for \$417,906 for PY09/FY10: Judy Bratcher discussed the item and answered questions of the Board. **Supervisor DeSpain made a motion to** approve the new contract with the Arizona Department of Economic Security and Navajo County Workforce Investment Act for \$417,906 for PY09/FY10; motion seconded by Supervisor Thompson. Vote unanimous approving the motion. Mr. Jayne indicated that Judy has done a great job with this program and with the summer youth program and believes that it is a well thought out budget.

ADMINISTRATION: Consideration and possible adoption of Resolution Number ____ -09 supporting the establishment of a liaison from the Department of the Interior, Bureau of Indian Affairs to NACo that will facilitate communication and information sharing with NACo and individual counties: Rod Ross discussed the item. **Supervisor Thompson made a motion to adopt Resolution Number 55-09** supporting the establishment of a liaison from the Department of the Interior, Bureau of Indian Affairs to NACo that will facilitate communication and information sharing with NACo and individual counties; motion seconded by Supervisor Nez; Vote unanimous approving the motion.

Supervisor Nez left the meeting at 9:45 a.m.

FINANCE:

- a. ~~Consideration and possible approval to extend the current CableOne franchise agreement to September 15, 2009 to allow time for public comment and to negotiate a new long term agreement (Mary Springer) Item pulled on July 28, 2009.~~
- b. **PUBLIC HEARING: TRUTH IN TAXATION PURSUANT TO A.R.S. §42-17104:** Consideration and possible approval of property tax levy as presented with tax rates to be set at the August 17, 2009 Special Board of Supervisors' meeting - Roll Call Vote: James Menlove discussed the item and answered questions of the Board. Chairman Brownlow convened the public hearing and with no public comment, closed the hearing. **Supervisor DeSpain made a motion to** approve the property tax levy as presented with the tax rates to be set at the August 17, 2009 Special Board of Supervisors' meeting; motion seconded by Supervisor Thompson. Roll Call Vote: Supervisor DeSpain, Supervisor Thompson and Chairman Brownlow all voted "aye" and the vote was unanimous approving the motion.
- c. **PUBLIC HEARING ON THE FINAL 2009-2010 BUDGET PURSUANT TO A.R.S. § 42-17104:** Chairman Brownlow opened the public hearing for the Final FY 2009-2010 budget and with no public comment, closed the hearing.
 - i. **Convene Special Meeting of Board of Supervisors for final budget adoption:** **Supervisor Thompson made a motion to** convene the special meeting of the Board of Supervisors for final budget adoption; motion seconded by Supervisor DeSpain. Vote unanimous approving the motion.

- ii. Consideration and possible adoption of Resolution Number _____-09 for the proposed final budget for fiscal year 2009-2010 for Navajo County: **Supervisor Thompson made a motion to adopt Resolution Number 56-09** for the proposed final budget for fiscal year 2009-2010 for Navajo County; motion seconded by Supervisor DeSpain. Vote unanimous approving the motion.
- iii. Board of Directors Sessions for consideration and possible adoption of final 2009-2010 budgets
James Menlove discussed the item.
 - 1. Silver Creek County Road Improvement District: **Supervisor DeSpain made a motion to enter into the Silver Creek County Road Improvement District Board of Directors' Session;** motion seconded by Supervisor Thompson. Vote unanimous approving the motion. **Supervisor DeSpain made a motion to adopt the Silver Creek County Road Improvement District final 2009-2010 budget;** motion seconded by Supervisor Thompson. Vote unanimous approving the motion. **Supervisor DeSpain made a motion to return to regular session;** motion seconded by Supervisor Thompson. Vote unanimous approving the motion.
 - 2. White Mountain Lakes Recreation District: **Supervisor Thompson made a motion to enter into the White Mountain Lakes Recreation District Board of Directors' Session;** motion seconded by Supervisor DeSpain. Vote unanimous approving the motion. **Supervisor DeSpain made a motion to adopt the White Mountain Lakes Recreation District final 2009-2010 budget;** motion seconded by Supervisor Thompson. Vote unanimous approving the motion. **Supervisor DeSpain made a motion to return to regular session;** motion seconded by Supervisor Thompson. Vote unanimous approving the motion.
 - 3. Victory Heights Road Maintenance District: **Supervisor DeSpain made a motion to enter into the Victory Heights Road Maintenance District Board of Directors' Session;** motion seconded by Supervisor Thompson. Vote unanimous approving the motion. **Supervisor Thompson made a motion to adopt the Victory Heights Road Maintenance District final 2009-2010 budget;** motion seconded by Supervisor DeSpain. Vote unanimous approving the motion. **Supervisor DeSpain made a motion to return to regular session;** motion seconded by Supervisor Thompson. Vote unanimous approving the motion.
 - 4. Navajo County Library District: **Supervisor DeSpain made a motion to enter into the Navajo County Library District Board of Directors' Session;** motion seconded by Supervisor Thompson. Vote unanimous approving the motion. **Supervisor Thompson made a motion to adopt the Navajo County Library District final 2009-2010 budget;** motion seconded by Supervisor DeSpain. Vote unanimous approving the motion. **Supervisor DeSpain made a motion to return to regular session;** motion seconded by Supervisor Thompson. Vote unanimous approving the motion.
 - 5. Navajo County Public Health Services District: **Supervisor Thompson made a motion to enter into the Navajo County Public Health Services District Board of Directors' Session;** motion seconded by Supervisor DeSpain. Vote unanimous approving the motion. **Supervisor Thompson made a motion to adopt the Navajo County Public Health Services District final 2009-2010 budget;** motion seconded by Supervisor DeSpain. Vote unanimous approving the motion. **Supervisor Thompson made a motion to return to regular session;** motion seconded by Supervisor DeSpain. Vote unanimous approving the motion.
 - 6. Little Colorado River Flood Control District: **Supervisor Thompson made a motion to enter into the Little Colorado River Flood Control District Board of Directors' Session;** motion seconded by Supervisor DeSpain. Vote unanimous approving the motion.

Supervisor DeSpain made a motion to adopt the Little Colorado River Flood Control District final 2009-2010 budget; motion seconded by Supervisor Thompson. Vote unanimous approving the motion. **Supervisor DeSpain made a motion to** return to regular session; motion seconded by Supervisor Thompson. Vote unanimous approving the motion.

7. Navajo County Flood Control District: **Supervisor Thompson made a motion to** enter into the Navajo County Flood Control District **Board of Directors' Session**; motion seconded by Supervisor DeSpain. Vote unanimous approving the motion. **Supervisor DeSpain made a motion to** adopt the Navajo County Flood Control District final 2009-2010 budget; motion seconded by Supervisor Thompson. Vote unanimous approving the motion. **Supervisor DeSpain made a motion to** return to regular session; motion seconded by Supervisor Thompson. Vote unanimous approving the motion.

Mr. Jayne thanked Mr. Menlove and his staff.
Supervisor Nez is present.

PUBLIC WORKS:

- a. PUBLIC HEARING Navajo County Flood Control District Board of Directors Session: Consideration and possible adoption of Ordinance FCD _____-09, amending Ordinance Number FCD 01-08, the Flood Damage Prevention Ordinance: **Supervisor Thompson made a motion to** enter into the Navajo County Flood Control District **Board of Directors' Session**; motion seconded by Supervisor DeSpain. Vote unanimous approving the motion. Trent Larson discussed the item and answered questions of the Board. Chairman Brownlow convened the public hearing. Supervisor DeSpain inquired about Shoens Dam. Lance Payette indicated that this item clarifies the FEMA definition. With no public comment, Chairman Brownlow closed the public hearing. **Supervisor DeSpain made a motion to** adopt **Ordinance FCD 01-09** amending Ordinance Number FCD 01-08, the Flood Damage Prevention Ordinance; motion seconded by Supervisor Nez. Vote unanimous approving the motion. **Supervisor DeSpain made a motion to** return to regular session; motion seconded by Supervisor Thompson. Vote unanimous approving the motion.
- b. Mountain View Improvement District Board of Directors Session:
 - i. EXECUTIVE SESSION pursuant to A.R.S. §38-431.03(A)(7) for discussions and consultations with designated representatives in order for the Board to consider its position and instruct its representatives regarding negotiations for the purchase of real property needed for right of way in connection with the West Settlers Lane road improvement project: Roger Beecroft discussed the item and answered questions of the Board. **Supervisor Thompson made a motion to** enter into the Mountain View Improvement District **Board of Directors' Session**; motion seconded by Supervisor Nez. Vote unanimous approving the motion. **Supervisor Thompson made a motion to** enter into executive session pursuant to A.R.S. §38-431.03(A)(7); motion seconded by Supervisor DeSpain. Vote unanimous approving the motion. The Board Room was cleared for executive session. Jerry Brownlow excused himself due to a conflict of interest; his brother-in-law lives in this improvement district. Chairman Brownlow leaves the room at 10:20 a.m.; Supervisor DeSpain, Supervisor Thompson; Supervisor Nez; Roger Beecroft; Dusty Parsons; Homero Vela; James Jayne; and Lance Payette are present. Discussion is held. **Supervisor DeSpain made a motion to** return to regular session; motion seconded by Supervisor Nez. Vote unanimous approving the motion.

Chairman Brownlow is now present at 10:27 am.

COUNTY BUSINESS UPDATE: Report from Board Members, County Attorney and County Manager: Supervisor DeSpain gave a report from District III. Supervisor Nez gave a report from District I. Supervisor

Thompson reported on District II. James Jayne referenced a note from CSA regarding the budget. He further indicated that Supervisor Tenney is still facing challenges and will be gone for several more weeks. Chairman Brownlow gave a report on District V.

ADJOURN: At 10:40 a.m. **Supervisor Nez made a motion to adjourn;** motion seconded by Supervisor DeSpain. Vote unanimous approving the motion.

APPROVED:

DATE: August 11, 2009

Jerry Brownlow, Chairman

ATTEST:

Melissa W. Buckley, Clerk of the Board

**Electronic recording of the Board of Supervisors Meeting is available for review
upon a Public Records Request**